## KIRBY McINERNEY LLP

August 19, 2015

VIA ECF AND HAND DELIVERY

Honorable Naomi Reice Buchwald United States District Judge United States Courthouse 500 Pearl Street New York, New York 10007-1312 825 Third Avenue
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Re: In re LIBOR-Based Financial Instruments Antitrust Litig.,

No. 11 Civ. 2613 (NRB), Master File No. 1:11-md-2262-NRB

Dear Judge Buchwald:

We represent Exchange-Based Plaintiffs ("Plaintiffs") in the above-referenced matter. Plaintiffs respectfully request leave to serve the subpoena attached hereto as Exhibit "A" on the Chicago Mercantile Exchange ("CME") in connection with the proposed settlement between and among Plaintiffs and Defendant Barclays Bank plc ("Barclays"). In accordance with Your Honor's direction, Exchange-Based Plaintiffs and Defendants have met and conferred about the scope and timing of the document requests that Plaintiffs seek through subpoena on the CME for the purpose of class notice and the allocation of the Barclays settlement proceeds. *See* Order dated August 4, 2015, at 28 (Exchange-Based Plaintiffs will present the Court with "a proposed subpoena of the Chicago Mercantile Exchange that is agreeable to all parties") [ECF No. 1164].

All parties in the Exchange-Based Action have agreed upon relevant document requests and instructions to the CME for this purpose, and these are reflected in the attached subpoena. If this language is also satisfactory to the Court, Plaintiffs respectfully request this letter be so endorsed to grant Plaintiffs leave to serve the subpoena on the CME.

## Respectfully submitted,

/s/ Christopher Lovell

Christopher Lovell

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/s/ David E. Kovel

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Interim Co-Lead Counsel for Exchange-Based Plaintiffs and the Proposed Class

cc: All Counsel of Record (by Electronic Filing)

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